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Assistant Commissioner for Patents

Washington, D.C. 20231 on March 14, 2003

Frank C. Eisenschenk

Frank C. Eisenschenk, Ph.D., Patent Attorney

Examining Group unknown

Patent Application

Docket No. G-055US04DIV

Serial No. 09/858,289

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Nicholas J. Schork, Marta Blumenfeld, Laurent Essioux, Annick Cohen-Akenine, Daniel Cohen
Serial No. : 09/858,289
Filed : May 15, 2001
Conf. No. : 2959
For : Biostatistics Threshold - Methods, Software and Apparati for Identifying Genomic Regions Harboring a Gene Associated with a Detectable Trait

Box MISSING PARTS

Assistant Commissioner for Patents

Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

Sir:

In response to the Notice to File Corrected Application Papers mailed January 17, 2003, Applicants respectfully request that the computer readable form of the Sequence Listing filed in United States Patent Application 09/438,016, filed November 10, 1999 (now U.S. Patent No. 6,291,182), be used for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the instant application. To the best of the knowledge of the undersigned, the computer readable form of the sequence listing of the parent application and the sequence listing of provided at the time the instant application was filed should be identical.

The Notice to File Corrected Application Papers received in the subject application also indicates that the drawings are not in compliance with 37 CFR 1.84 and 1.121 because they do not

have the appropriate margins. Transmitted herewith are substitute drawings (Figures 1-25 consisting of 31 total pages) for the subject application.

A Notice to File Corrected Application Papers was received from the Patent and Trademark Office, and a copy of that Notice is attached hereto.

The Commissioner is hereby authorized to charge any fees which may be required to Deposit Account No. 19-0065.

Respectfully submitted,



Frank C. Eisenschenk, Ph.D.

Patent Attorney

Registration No. 45,332

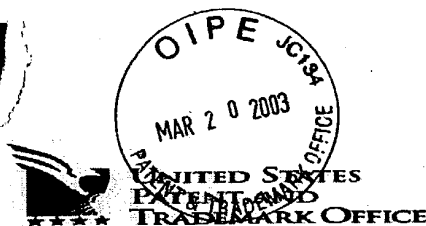
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Gainesville, FL 32606-6669

FCE/sl

Attachments: Substitute Figures 1-25; Copy of Notice to File Corrected Application Papers.



COPY

Commissioner for Patents
Washington, DC 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/858,289	05/15/2001	Nicholas J. Schork	55.US4.DIV

John Lucas, Ph.D., J.D.
GENSET CORPORATION
10665 Sorrento Valley Road
San Diego, CA 92121-1609

CONFIRMATION NO. 2959

FORMALITIES LETTER



OC000000009381091

Date Mailed: 01/17/2003

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

An application number and filing date have been accorded to this application. The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch). See Figures(s) 12 & 20.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*

CM

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PART 2 - COPY TO BE RETURNED WITH RESPONSE